REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1, 3-9, and 11-27 are pending.

Claims 1, 3-9, and 11-27 have been rejected.

Claims 1, 3, 5-6, 8, 11-14 and 16-18 have been amended.

New claim 28 was added.

Applicants respectfully assert that the amendments to the claims add no new matter.

Claims 1 and 9 were amended to rectify typographical errors.

The amendments of claims 3, 11 and 16 find support in, at least, paragraph [0040].

The amendments of claims 5, 13 and 17 find support in, at least, paragraph [0055].

The amendments of claims 6 and 14 find support in, at least, paragraph [0052].

The amendments of claims 8 and 18 find support in, at least, paragraph [0054].

The amendments of claim 12 and new claim 28 find support in, at least, figure 1.

CLAIM REJECTIONS

35 U.S.C. § 101 Rejections

In the Office Action claim 19 was rejected under 35 U.S.C. 101 as directed to non-statutory subject matter. Claim 19 was amended to indicate that the computer readable medium is non-transitory.

The Applicants request the Examiner to withdraw the 35 U.S.C. 101 rejection of claim 19.

35 U.S.C. § 103 Rejections

In the Office action, claims 1, 3-9, 11-21, 23-25 and 27 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Dygart (US Patent No. 6954469) in view of Weaver (US Patent No. 6119154).

Applicants respectfully traverse the rejection of claims 1, 3-9, 11-21, 23-25 and 27.

The Amendments of various claims are made in spite of the sincere belief of the Applicants that the claims as previously presented were also patentable, and the Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

Claims 1, 9 and 19

Neither one of Dygart or Weaver, alone or in cousin, teaches of *"online generating by the video pump, in response to a request to receive a trick play media stream, a non-live media stream, by utilizing the media related information, wherein the generating comprises fetching intra-coded frames from locations that are pointed to at the media related information, and altering timing information of the intra-coded frames and of duplicating frames"* – as recited in claims 1 and 19.

Neither one of Dygart or Weaver, alone or in cousin, teaches of *"wherein the second path is operable to … online generate at least a portion of a non-live media stream in response to a request to provide the non-live media stream to the client, by utilizing the media related information, wherein the generating comprises fetching intra-coded frame from locations that are pointed to at the media related information, and altering timing information of the intra-coded frames and of duplicating frames"* – as recited in claim 9.

The Examiner admitted that Dygart does not explicitly disclose "*wherein the generating comprises fetching intra-coded frames from locations that are pointed to at the media related information, and altering timing information of the intra-coded frames and of duplicating frames*" – as recited in claim 9.

Nevertheless, the Examiner argued that Weaver teaches this feature.

The Applicants respectfully disagree with this argument as Weaver does not teach or suggest of duplicating frames and especially does not teach or suggest of altering timing information of duplicating frames.

Weaver teaches of various specific types of packets and data such as prefix data and padding packets but both differ from duplicating frames. Prefix data merely includes appropriate header information that is transmitted by the video pump prior to transmitting data from the new position (column 14, lines 21-26). Padding packets are non-video packets that are added to video packets to comply with transport packet requirements. See, for example, box 255 of figure 2A and Table 3, column 9: "*# OF NON-VIDEO PACKETS The number of non-video packets 222 (i.e. audio packets, padding packets, control packets and timing packets) that are located within the picture packet for frame "F"*".

Therefore - neither one of Dygart or Weaver, alone or in cousin, teaches all the features of claims 1, 9 and 19 and for that reason alone the 35 U.S.C. § 103(a) rejection of claims 1, 9 and 19 is traversed and claims 1, 9 and 19 should be allowed.

Claims 3-8, 20-23 and 28 depend, directly or indirectly, on claim 1 and include of all of its features. For this reason alone the 35 U.S.C. § 103(a) rejection of claims 3-8, 20-23 and 28 is traversed and claims 3-8, 20-23 and 28 should be allowed.

Claims 11-15 and 24-25 depend, directly or indirectly, on claim 9 and include of all of its features. For this reason alone the 35 U.S.C. § 103(a) rejection of claims 11-15 and 24-25 is traversed and claims 11-15 and 24-25 should be allowed.

Claims 3, 11 and 16

Neither one of Dygart or Weaver, alone or in cousin, teaches of "*providing the live media stream to multiple users wherein the live media stream reaches the video pump only once*" – as recited in claim 3.

Neither one of Dygart or Weaver, alone or in cousin, teaches of "*wherein the video pump is arranged to provide the live media stream to multiple users wherein the live media stream reaches the video pump only once*" – as recited in claims 11 and 16.

The current application addresses a bottleneck between the video pump and a server that provides to the video pump a live stream and reduces the load over that network by providing only once a live stream to the video pump that in turn provides the live stream to multiple users (paragraph [0038] – [0040] of the current application).

Dygart does not teach or suggest such limitation. It teaches of a video pump that can access a RAID array or a DVD jukebox – and retrieve data <u>for each channel</u> at a specified rate (column 7, lines 5-8). Furthermore, Dygart does not teach or suggest live media but rather teaches of providing <u>recorded signals for playback</u> (Abstract; column 5, lines 43-47 and column 10, lines 60-65).

Weaver does not discuss multiple requests from different clients to receive multiple live streams.

Therefore - neither one of Dygart or Weaver, alone or in cousin, teaches all the features of claims 3, 11 and 16 and for that reason alone the 35 U.S.C. § 103(a) rejection of claims 3, 11 and 16 is traversed and claims 3, 11 and 16 should be allowed.

Claims 5, 13 and 17

Neither one of Dygart or Weaver, alone or in cousin, teaches of "*an indexing file that comprises a duplicating frame and locations of the intra-coded frames*" – as recited in claims 5, 13 and 17.

The current application provides a highly efficient retrieval scheme that provides an indexing file that includes a (concise) duplicating frame and location of intra-coded frames. This indexing file reduces the amount of data retrievals as a trick play stream can be generated by fetching the indexing file and intra-coded frames, without fetching additional duplicating frames (as they are included in the indexing file itself).

Dygart does not teach of an indexing frame and in general does not discuss how the video pump performs trick plays (Column 6, lines 6-19).

Weaver teaches of a complete separation between video files and tag data (figure 1, column 6, lines 5-13 and 17-40, column 6 line 55 – column 7, line 60 "EXEMPLARY MPEG

FILE", and column 7, line 70 - column 10, line 40 "EXEMPLARY TAG FILE"). Weaver even suggests delaying the provision of control information (including tag data) to an MDS server to ensure that the video files referred to by the video files already exits (column 6, lines 40-53). The tag file of Weaver includes only metadata relating to the video file but does not include a duplicating frame (column 7, line 70 - column 10, line 40 "EXEMPLARY TAG FILE"). Weaver does not even discuss duplicating frames.

Therefore - neither one of Dygart or Weaver, alone or in cousin, teaches all the features of claims 5, 13 and 17 and for that reason alone the 35 U.S.C. § 103(a) rejection of claims 5, 13 and 17 is traversed and claims 5, 13 and 17 should be allowed.

Claims 6 and 14

Neither one of Dygart or Weaver, alone or in cousin, teaches of "*the non-live media stream consist essentially of the intra-coded frames and the duplicating frames*" – as recited in claims 6 and 14.

The current application provides a non-live media stream that consists essentially of intra-coded frames and duplicating frames.

Neither one of Dygart and Weaver teaches or suggests of duplicating frames and especially does not teach or suggest of a non-live media stream that consists essentially of the intra-coded frames and the duplicating frames.

Dygart does not discuss the content of its video streams.

Weaver teaches a media stream that includes intra-codes frames as well as P-frames and B-frames - as illustrated by the FRAME TYPE field of column 8, lines 64-68.

Therefore - neither one of Dygart or Weaver, alone or in cousin, teaches all the features of claims 6 and 14 and for that reason alone the 35 U.S.C. § 103(a) rejection of claims 6 and 14 is traversed and claims 6 and 14 should be allowed.

Claims 8 and 18

Neither one of Dygart or Weaver, alone or in cousin, teaches of "*wherein an amount of duplicating frames to be transmitted between each pair of intra-coded frames determines a presentation rate of the non-live media stream*" – as recited in claims 8 and 18.

Neither one of Dygart and Weaver teaches or suggests of duplicating frames and especially does not teach or suggest of *an amount of duplicating frames to be transmitted between each pair of intra-coded frames determines a presentation rate of the non-live media stream*.

Dygart does not discuss the content of its video streams.

Weaver teaches a media stream that includes intra-codes frames as well as P-frames and B-frames - as illustrated by the FRAME TYPE field of column 8, lines 64-68.

Therefore - neither one of Dygart or Weaver, alone or in cousin, teaches all the features of claims 8 and 18 and for that reason alone the 35 U.S.C. § 103(a) rejection of claims 8 and 18 is traversed and claims 8 and 18 should be allowed.

35 U.S.C. § 103 Rejections

In the Office action, claims 22 and 26 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Dygart (US Patent No. 6954469) in view of Weaver (US Patent No. 6119154) and in further view of Zimmerman (US Patent Application serial number 2003/0161302).

Neither one of Dygart, Weaver or Zimmerman, alone or in cousin, teaches of "*storing non-live media streams at the video pump, providing a first portion of the non-live media stream from the video pump to the client, and providing a second portion of the non-live media stream from the media server, wherein the generating comprises generating the second portion of the non-live media stream*" – as recited in claims 22 and 26.

The Examiner admitted that this feature is not taught by Dygert but are taught by Zimmerman.

Zimmerman teaches of a server that includes multiple nodes (paragraphs [0026] and [0039] – [0040] and figure 1 – nodes 110 of server 100). Zimmerman does not teach storing some segments of a non-live media stream in the video pump and storing other segments of the non-live media stream in the media server.

In addition – both Dygert and Weaver teaches of storing the media streams in entities that differ from the video pump (MDS 112 of Weaver and RAID Array 14 and DVD jukebox 18 of Dygert). Thus – they teach away from the subject matter claims in claims 22 and 26.

Therefore - neither one of Dygart, Zimmerman or Weaver, alone or in cousin, teaches all the features of claims 22 and 26 and for that reason alone the 35 U.S.C. § 103(a) rejection of claims 22 and 26 is traversed and claims 22 and 26 should be allowed.

Conclusion

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Respectfully submitted,

/OREN RECHES/
Oren Reches
Attorney/Agent for Applicants
Registration No. 53506

Dated: February 12 2011.

Reches Patents
211 North Union Street, Suite 100
Alexandria, Virginia 22314
United States
Tel: (703) 838 5568
Fax: (703) 683 4707